

# BakerHostetler

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August 2, 2016

### VIA ECF AND EMAIL

Honorable Stuart M. Bernstein  
United States Bankruptcy Judge  
United States Bankruptcy Court  
Southern District of New York  
One Bowling Green  
New York, New York 10004

*Re: SIPC v. BLMIS, Adv. Pro. No. 08-01789 (SMB) – Profit Withdrawal Litigation*

Dear Judge Bernstein:

We represent Irving H. Picard, Trustee for the substantively consolidated SIPA liquidation of Bernard L. Madoff Investment Securities LLC and the Estate of Bernard L. Madoff (the “Trustee”), in the above-referenced matter. We write on behalf of the Trustee and the Securities Investor Protection Corporation (“SIPC”).

We respectfully request permission for the Trustee and SIPC to file supplemental briefs in support of Trustee’s Amended Motion for an Order Affirming Treatment of Profit Withdrawal Transactions in excess of the page limit specified in your Chambers’ Rules but no more than 80 pages in length. This increase in the page limit is necessary to fully address the supplemental expert reports served by the Trustee since the filing of the Trustee’s original motion in July 2015 and the testimony of six BLMIS employee witnesses on the profit withdrawal issue. Moreover, because the current briefing schedule does not allow for a reply by the Trustee or SIPC, the Trustee and SIPC may address certain issues that we anticipate will be raised by counsel for Participating Claimants. The current deadline to file the supplemental briefs is August 12, 2016.

*Granted*  
*SMB*  
*8/2/16*

Honorable Stuart M. Bernstein  
August 2, 2016  
Page 2

Counsel for Participating Claimants consents to this request. If the Court has any questions, please do not hesitate to have a member of Your Honor's staff contact the undersigned. We appreciate Your Honor's attention to this matter.

Respectfully submitted,

*/s/ Seanna R. Brown*

Seanna R. Brown

cc: Helen Chaitman  
Richard Kirby  
Josephine Wang  
Kevin Bell  
Amy Vanderwal